

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08	UNITED STATES OF AMERICA,)	
09	Plaintiff,)	Case No. CR95-0024-MJP-JPD
10	v.)	
11	JAVIER VALENCIA-HERNANDEZ,)	SUMMARY REPORT OF U.S.
12	Defendant.)	MAGISTRATE JUDGE AS TO
)	ALLEGED VIOLATIONS
)	OF SUPERVISED RELEASE

An evidentiary hearing on a petition for violation of supervised release in this case was scheduled before the undersigned Magistrate Judge on November 3, 2006. The United States was represented by Assistant United States Attorney Ye-Ting Woo, and the defendant by Mr. William Hines. The proceedings were recorded on cassette tape.

The defendant had been charged and convicted of Conspiracy to Distribute Methamphetamine and Possession of Methamphetamine with Intent to Distribute. On or about October 30, 1995, defendant was sentenced by the Honorable William L. Dwyer to 120 months in custody to be followed by eight (8) years of supervised release.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special conditions imposed, but not limited to, were participation in a substance-abuse treatment program, consenting to drug testing, consenting to search, financial disclosure, and if deported, not to re-enter the United States without permission of the Attorney General or her

01 authorized representative.

02 In a Petition for Warrant or Summons and a Violation Report and Request For
03 Warrant both dated May 30, 2006, U.S. Probation Officer Todd A. Sanders asserted the
04 following violations by defendant of the conditions of his supervised release:

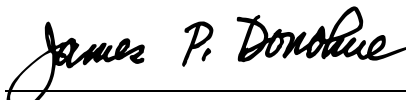
05 (1) Re-entering the United States without permission of the Bureau of
06 Immigration and Customs Enforcement on or before May 8, 2006, after having been
07 deported on September 23, 2003, in violation of the special condition of supervised release
08 and the standard condition that he not commit another federal, state, or local crime.

09 The defendant was advised of the allegations and his rights. He admitted to the
10 allegations.

11 I therefore recommend that the Court find the defendant to have violated the terms
12 and conditions of his supervised release as to violation 1, and that the Court conduct a
13 hearing limited to disposition. A disposition hearing on this violation will be set before the
14 Honorable Marsha J. Pechman at a date to be determined.

15 Pending a final determination by the Court, the defendant has been detained.

16 DATED this 6th day of November, 2006.

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18 JAMES P. DONOHUE
19 United States Magistrate Judge

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21 cc: District Judge: Honorable Marsha J. Pechman
22 AUSA: Ms. Ye-Ting Woo
23 Defendant's attorney: Mr. Harvey Steinberg
24 Probation officer: Mr. Todd Sanders
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